

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WARREN WEBER,

Defendant.

CR-23-04-H-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 22, 2023. (Doc. 18.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 21, 2023. (Doc. 17) The United States accused Warren Weber, (Weber) of violating his conditions of supervised release 1) by failing to follow the instructions of his probation officer; 2) by possessing pornographic material; and 3) by possessing materials that depicted sexual activity with minors. (Doc. 3.)

At the revocation hearing, admitted Weber admitted that he had violated the terms of his supervised release 1) by failing to follow the instructions of his probation officer; and 2) by possessing pornographic material. The Court dismissed alleged violation 3 on the government's motion.(Doc. 17.) Judge Johnston found that the violations Weber admitted prove serious and warrants revocation of his supervised release and recommends a custodial sentence of 6 months, with a lifetime of supervised release to follow. (Doc. 18.) Weber was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 17.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 18) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Warren Weber be sentenced to the Bureau of Prison for 6 months with a lifetime of supervised release to follow.

DATED this 6th day of April, 2023.



Brian Morris, Chief District Judge
United States District Court